

REMARKS

In the above-identified Office Action, the Examiner rejected claims 1-2, 4-20, and 22-65. In response, claims 1, 7-9, 13, 16-19, 28, 35, 39, 45, 50, 52-61, 64, and 65 are amended. Accordingly, claims 1-2, 4-20, and 22-65 remain pending.

Applicants thank the Examiner for withdrawing the rejection under 35 U.S.C. §112.

Specification

On page 2 of the above-identified Office Action, the Examiner claims that the term “computer readable medium” which is recited in claims 64 and 65, lacks support in Applicants’ Specification. In response, Applicants respectfully disagree. Support for the computer readable medium may be found on page 14, lines 12-14, 24, and 25, and page 15, lines 18-24, where Applicants disclose and discuss a computer readable “distribution medium”. Though the words “computer readable” are not explicitly recited, they are inherent in the disclosure of the distribution medium that is recited as being able to provide a monitor function to a client computer system. If such a distribution medium were not computer readable, it would be impossible for the computer system to receive the monitor function from the distribution medium. Accordingly, Applicants respectfully submit that Applicants’ Specification does in fact disclose a “computer readable medium.”

Claim Objections

On pages 2-3 of the above-identified Office Action, the Examiner objects to claims 35 and 55 for lack of antecedent basis and various informalities. In response, Applicants have amended claims 35 and 55 to overcome the Examiner’s objections.

Claim Rejections – 35 U.S.C. § 101

On pages 3-4 of the above-identified Office Action, the Examiner rejects claims 64 and 65 under 35 U.S.C. §101 as being directed to non-statutory subject matter. More specifically, the Examiner asserts that the “computer readable medium” recited by claims 64 and 65 is not statutory subject matter.

In response, Applicants note that in *In re Beauregard*, 53 F.3d 1583 (Fed. Cir. 1995), the Federal Circuit held that a computer readable medium storing a set of instructions that cause a computer to perform a process is patentable. In claims 64 and 65, the computer readable mediums are recited as storing pluralities of programming instructions designed to enable computers to perform processes. Accordingly, claims 64 and 65 recite subject matter that is patentable under *Beauregard*, and thus are patentable under §101.

Claim Rejections – 35 U.S.C. § 103

1. On pages 4-5 of the above captioned Office Action, Examiner rejects claims 1, 2, 4-13, 16-20, 22-28, 31-45, 48-59, and 62-65 under 35 U.S.C. §103(a) as being unpatentable over US Patent Publication No. 2001/0054064 issued to Kannan (“Kannan”) in view of US Patent No. 5,907,680 filed by Kanevsky (“Nielson”).

More specifically, the Examiner cites paragraphs 25, 91, and 185 of Kannan as teaching the following recitations of claim 1: “determining based at least in part on content of a locator of a first information page ... requested to be retrieved and displayed on a client system, whether to provide information browsing assistance for the first information page ...and conditionally providing said information browsing assistance based at least in part on said determination.”

In the passages cited by the Examiner, Kannan discloses a method of monitoring browsing behavior of a user (i.e., length of time spent on a page, frequent flipping back and forth between a couple pages, etc.) and prompting a user to offer browsing assistance based on the user’s browsing data. Kannan also discloses in other passages that browsing data may include “browsing actions taken, time spent on each browsing action, length of stay in each Web page, and the URL visited history” (paragraph 83 of Kannan). The Examiner implicitly equates determining based on such browsing data whether to provide information browsing assistance to “determining based on the content of a locator whether to provide information browsing assistance” in stating that Kannan teaches the above recitations. Applicants have previously challenged the Examiner on this point and continue to disagree with the Examiner regarding whether Kannan teaches “determining based on the content of a locator”.

However, for the sake of expediting prosecution, and because claim 1 is patentable over Kannan and Nielson for at least the reasons below, Applicants accept the Examiner's assertion for the sake of argument.

Further, on pages 5-6, the Examiner admits that Kannan does not disclose "said determining comprising analyzing the content of the locator of the first information page to determine whether the locator satisfies a locator based condition abstracting a plurality of locators of a plurality of locations having information that amplifies the information on the first information page." To remedy this deficiency, the Examiner cites col. 5, line 66 through col. 6, line 3 and lines 50-65 of Nielson. In those passages, Nielson teaches that when a URL is manually entered by a user, the components of the URL are spell-checked and a list of potential URLs is generated and displayed to the user, enabling the user to select one of the potential URLs.

The Examiner suggests that one of ordinary skill would have combined the teachings of Nielson with Kannan, as doing so would assist a user in finding a web page in a timely fashion.

Even accepting the combination of Kannan and Nielson for the sake of argument, Applicants maintain that the combination does not teach or suggest each and every element of claim 1. At best, Kannan and Nielson suggest a method of determining whether a URL entered by a user has been misspelled and, if misspelled, providing browsing assistance, the browsing assistance including potential URLs for the user to select.

Thus, while Kannan and Nielson may arguably suggest analyzing the content of the locator of the first information page to determine whether the locator satisfies a condition, they do not suggest that the condition is a "locator based condition" which abstracts "a plurality of locators of a plurality of locations having additional information that amplifies information of the first information page", as recited by claim 1. The only conditions suggested by Kannan and Nielson are those common to a spell checker. Such conditions compare entered words of a URL to a database of words to find a number of words that the user may have intended to type. Thus, while the results of such conditions may be combined to construct a plurality of locators, they in no way "abstract[] a plurality of locators", as recited by claim 1.

Further, claim 1 recites that the plurality of locators abstracted by the locator based condition are locators of “a plurality of locations having additional information that amplifies information of the first information page.” Nothing in Kannan and Nielson suggests that the potential URLs provided to the user as browsing assistance are locators of locations having “additional information that amplifies information of the first information page”. The only connection between the locations associated with the potential URLs and the first information page is that their locators each include at least one word that is spelled similarly to the other word. Mere similarity of spelling of a word in no way suggests that the information at the locations “amplifies” information of the first information page.

Lastly, claim 1 has been amended to recite “the information browsing assistance including all or a portion of the additional information”. As mentioned above, Kannan and Nielson at best suggest providing potential URLs as browsing assistance. Nothing in Kannan and Nielson suggests further providing the information of the locations associated with the URLs to the user as browsing assistance. The entire purpose of Kannan and Nielson is to help the user determine the URL that the user actually intended to enter so that the user can retrieve the page that the user intended to request, not to provide additional information that amplifies information of a page that the user has requested. Thus, one skilled in the art would not find any motivation in Kannan and Nielson to modify either reference to teach “the information browsing assistance including all or a portion of the additional information”, as now claimed in claim 1.

Accordingly, Applicants respectfully submit that the combination of Kannan and Nielson fails to teach or suggest each and every element of claim 1 and that claim 1 is, consequently, nonobvious and therefore patentable over the combination of Kannan and Nielson.

Independent claims 19, 35, 50, 64, and 65 recite similar elements to those of claim 1. Accordingly, for at least the same reasons, claims 19, 35, 50, 64, and 65 are patentable over Kannan and Nielson under §103.

Claims 2, 4-13, 16-18, 20, 22-28, 31-34, 36-45, 48, 49, 51-59, 62, and 63 depend from claims 1, 19, 35, 50, 64, and 65, incorporating their elements, respectively. Thus, for at

least the same reasons above, Applicants submit that claims 2, 4-13, 16-18, 20, 22-28, 31-34, 36-45, 48, 49, 51-59, 62, and 63 are patentable over Kannan and Nielson under §103.

2. On page 17 of the above-captioned Office Action, claims 14, 15, 29, 30, 46, 47, 60 and 61 stand rejected under 35 U.S.C. §103(a) over Kannan in view of Nielson in further view of US Patent No. 6,026,409 issued to Blumenthal (“Blumenthal”).

Claims 14, 15, 29, 30, 46, 47, 60 and 61 depend from claims 1, 19, 35, and 50, respectively, incorporating their elements. As discussed above, claims 1, 19, 35, and 50 are patentable over the combination of Kannan and Nielson, and Blumenthal fails to remedy the deficiencies of the combination. Blumenthal is merely cited as teaching modifying an environmental attribute of a browsing environment and for teaching a number of environmental attributes. Thus, for at least this reason, Applicants submit that claims 14, 15, 29, 30, 46, 47, 60 and 61 are patentable over Kannan and Nielson in view of Blumenthal.

CONCLUSION

In view of the foregoing, Applicant submits that all pending claims are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper, the Examiner is kindly requested to contact the undersigned at (206) 407-1513. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,
SCHWABE, WILLIAMSON & WYATT, P.C.

Date: May 30, 2008 by: /Robert C. Peck/
Robert C. Peck
Reg. No.: 56,826

Schwabe, Williamson & Wyatt, P.C.
Pacwest Center, Suites 1600-1900
1211 SW Fifth Avenue
Portland, Oregon 97222
Telephone: 503-222-9981